

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:19 CV 82 MR WCM

DELTA WALSH,

Plaintiff,

v.

FORREST GILLIAM, County Manager for
Madison County, in his individual and official
capacities, JOHN DOE SURETY
INSURANCE COMPANY, believed to be
“Western Surety Company,” JAMES
HARWOOD, “Buddy” in his individual
capacity, and his official capacity as Sheriff
of Madison County, BOBBY GOSNELL,
in his individual capacity, and his professional
capacity as a deputy officer employed by the
Madison County Sheriff’s Department,
BOBBY GOSNELL TRANSPORT,
JOHN DOE, Deputy Sheriff (appeared as
letter “J” on his name I.D.) in his individual
capacity, and his professional capacity as a
law enforcement deputy officer employed by
the Madison County Sheriff’s Department,
MADISON COUNTY SHERIFF'S
DEPARTMENT, MADISON COUNTY
DEPARTMENT OF SOCIAL SERVICES,
CONNIE M. HARRIS, in her individual
capacity, and her professional capacity as
Director of the Madison County Department
of Social Services, MANDIE SLUDER, or
Mandy Sluder, in her individual capacity, and
her official capacities, as social worker/
supervisor/employee of Madison County
Department of Social Services, DEWAIN
MACKEY, in his individual capacity, and in

ORDER

Doe within the time specified will result in the dismissal of the Plaintiff's claims against this Defendant without prejudice." (Doc. 44) at 35.

On May 5, 2020, Plaintiff's deadline was extended through and including June 5, 2020. (Doc. 50). The Court also ordered Defendant Gosnell to provide Plaintiff with the identity and current contact information for Deputy Doe, or file a response, not to exceed five (5) pages, as to why Defendant Gosnell objected to making such a disclosure. Id. at 4.

The Motion to Amend indicates that defense counsel has identified Deputy Doe as being Joshua Burchfield and that defense counsel offered to accept service on his behalf. (Doc. 53) at 1.

No objection to the Motion to Amend has been filed and the time for doing so has expired.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Motion to Amend (Doc. 53) is **GRANTED IN PART.**

Plaintiff is **DIRECTED** to file, on or before **July 10, 2020**, a second amended complaint substituting Joshua Burchfield for Deputy Doe.

Plaintiff is also **DIRECTED** to file, on or before **July 10, 2020**, proof of service on Defendant Burchfield.

2. To the extent Plaintiff requests a temporary stay of this matter, the Motion to Amend is **DENIED**.

Signed: June 25, 2020

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

